

Commissioner for Patents United States Patent and Trademark Office Washington, D.C. 20231

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In re Application of

DEWEERD, Herman et al

U.S. Application No.: 09/674,585

PCT No.: PCT/US99/16412 Int. Filing Date: 20 July 1999

Priority Date: 23 July 1998

Attorney Docket No.: 60132-074

For: ELECTRO-OPTICAL MECHANICAL

INSTRUMENT

DECISION ON RENEWED PETITION UNDER 37 CFR 1.47(a)

This is a decision on applicants' "Response to Decision on Petition Under 37 CFR 1.47(a)" filed on 16 April 2002.

BACKGROUND

On 28 December 2001, a decision dismissing applicants' petition was mailed because they failed to satisfy items (2) and (4) of 37 CFR 1.47(a).

On 16 April 2002, applicants submitted the instant request which was accompanied by, *inter alia*, a two-month extension with the fee and a new declaration.

DISCUSSION

In the renewed request, applicants filed a declaration signed by all three of the inventors listed on the international publication including the inventor who could not be located, Mr. Jose Hernandez.

Accordingly, applicants petition under 37 CFR 1.47(a) is moot.

CONCLUSION

For the reasons above, applicants' renewed petition under 37 CFR 1.47(a) is **DISMISSED** as moot.

A review of the declaration filed with the instant petition reveals that it is in compliance with 37 CFR 1.497.

Applicants have completed the requirements for acceptance under 35 U.S.C.

371(c). The application has an international filing date of 20 July 1999, under 35 U.S.C. 363, and a 35 U.S.C. 371 date of 16 April 2002.

This application is being forwarded to the National Stage Processing Division of the Office of PCT Operations for continued processing.

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